

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

KAREN GIFFORD,

Plaintiff,

vs.

Case No.:

SENSIO, INC.,

JURY DEMAND (12)

Defendant.

NOTICE OF REMOVAL

Comes now Defendant, Sensio, Inc., by and through counsel, pursuant to 28 U.S.C. § 1446, and hereby files this Notice of Removal in the above-styled action to remove this action from the Davidson County Circuit Court at Nashville, Tennessee, to the United States District Court for the Middle District of Tennessee at Nashville.

To demonstrate removability, this Defendant states and alleges as follows:

1. This cause of action was commenced on November 15, 2021, in the Davidson County Circuit Court, Docket No. 21C1993, *styled Karen Gifford v. Sensio, Inc.* A copy of all the process, pleadings, and orders, which have been filed with the State Court, are attached hereto as collective **Exhibit 1**.

2. Plaintiff served the Defendant with process on November 29, 2021, at 3:36 p.m. Accordingly, this Notice of Removal is timely under 28 U.S.C. § 1446(b).

3. According to Plaintiff's pleadings, Plaintiff is a resident of Nashville, Davidson County, Tennessee. [Complaint, ¶ 7].

4. Defendant, Sensio, Inc., is a Delaware corporation with its principal office in New York, New York.

5. Plaintiff sues Defendant under state law tort claims based on Tennessee's Product Liability Act, *inter alia*. Plaintiff asserts no federal causes of action.

6. The amount in controversy exceeds \$75,000.00 exclusive of interests and costs, by virtue of Plaintiff's alleged injuries in the ad damnum set forth in Plaintiff's Complaint. There is complete diversity of citizenship between the Plaintiff and the Defendant. Therefore, this matter is properly removable to this Court by virtue of federal diversity jurisdiction under the provisions of 28 U.S.C. § 1332 and is removable to this Court pursuant to the provisions of 28 U.S.C. § 1441.

7. This Notice of Removal shall not be deemed a waiver of the defense of lack of personal jurisdiction, or any other defense.

8. A copy of this Notice will be filed with the Clerk of the Circuit Court of Davidson County, Tennessee as required by 28 U.S.C. § 1446(b).

Respectfully submitted,

MCANGUS GOUDELOCK & COURIE, LLC

/s/ Brian F. Walthart

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

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This the 20th day of December, 2021.

/s/ Brian F. Walthart
BRIAN F. WALTHART